

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILHELMINA “MINA” MONTGOMERY,

Plaintiff,

v.

AGNIESZKA HOLLAND, NBC  
TELEVISION, LIONSGATE  
ENTERTAINMENT CORPORATION,  
SCOTT ABBOTT, JAMES WONG, DAVID  
A. STERN, ROBERT BERNACCHI,  
ALIXANDRE WITLIN, TIME-WARNER,  
INC., JOSHUA D. MAURER, CICELY  
SALDANA, MARIEL SALDANA, ZOE  
SALDANA, TOM PATRICIA, CINESTAR  
PICTURES, FEDERATION  
ENTERTAINMENT, NETFLIX  
ENTERTAINMENT COMPANY, LIAISON  
FILMS, CITY ENTERTAINMENT,  
KIPPSTER ENTERTAINMENT,

Defendants,

Case No. 17-cv-03489-VSB

ECF Case

**NOTICE OF MOTION OF  
DEFENDANTS LIONS GATE  
ENTERTAINMENT CORP.,  
NETFLIX, INC., NBCUNIVERSAL  
MEDIA, LLC, ROBERT  
BERNACCHI, CITY  
ENTERTAINMENT, MARIEL  
SALDANA, SCOTT ABBOTT, JAMES  
WONG, ZOE SALDANA, KIPPSTER  
ENTERTAINMENT LLC, JOSHUA D.  
MAURER AND ALIXANDRE  
WITLIN FOR JUDGMENT ON THE  
PLEADINGS DISMISSING THE  
AMENDED COMPLAINT WITH  
PREJUDICE PURSUANT TO FED. R.  
CIV. P. 12(c)**

PLEASE TAKE NOTICE that, upon the Answer filed and served on March 6, 2018 and the exhibits annexed thereto, the accompanying Memorandum of Law, and all prior pleadings and proceedings had herein, the undersigned will move this Court, before the Honorable Vernon S. Broderick, in Room 518 at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, on a date and time to be determined by the Court, for an Order granting the motion of defendants Lions Gate Entertainment Corp., Netflix, Inc., NBCUniversal Media, LLC, Robert Bernacchi, City Entertainment, Mariel Saldana, Scott Abbott, James Wong, Zoe Saldana, KippSter Entertainment LLC, Joshua D. Maurer and Alixandre Witlin, (collectively, “Defendants”), pursuant to Fed. R. Civ. P. 12(c), for a judgment on the pleadings dismissing, with

prejudice, the Amended Complaint filed by plaintiff Wilhelmina Montgomery (“Plaintiff”), and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that Plaintiff’s papers in opposition, if any, must be filed and served on or before April 9, 2018, and Defendants’ papers in reply, if any, must be filed and served on or before April 16, 2018 in the event Plaintiff’s opposition is served under FRCP 5(b)(2)(A), (B) or (E), including by ECF, or on or before April 19, 2018 in the event Plaintiff’s opposition is served by mail or pursuant to FRCP 5(b)(2)(C), (D) or (F) and 6(d).

Dated: New York, New York  
March 22, 2018

PRYOR CASHMAN LLP

By: s/ Tom J. Ferber  
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TO: By ECF and US Mail

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